HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.8123 of 1999

Dated 4th day of April, 2007

Between:

Kundur Shasi Reddy .. Petitioner

And

The Government of Andhra Pradesh,
rep. by Prl. Secretary,
Revenue (ULC) Department,
Secretariat Buildings, Hyderabad
and three others .. Respondents

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O R D E R:

This writ petition is filed seeking a mandamus to declare the action of the respondents in trying to take possession of the petitioner's land admeasuring 572.47 square metres in S.No.D-218 situated in Nallapadu village, as arbitrary and illegal.

The brief facts of the case are that the petitioner is the owner and possessor of the land of an extent of 572.47 square metres in S.No.D-218 situated in Nallapadu village, Guntur District by virtue of a registered sale deed dated 20.7.1981 and since then he has been in possession and enjoyment of it. Now, his grievance is that the 3rd respondent-Mandal Revenue Officer, without following due process of law, is trying to evict him from the land in question.

Heard the learned counsel for both the parties.

The learned counsel for the petitioner has submitted that as the 2nd respondent-Special Officer has clearly stated in his proceedings dated 28.4.1981 that the competent authority did not exercise first option to purchase the land admeasuring 1515 square metres situated in S.No.D-218 in Nallapadu village as it is not required by any department, the petitioner purchased it from the original declarant i.e. Uudumula Nagarapa Reddy, but now the respondents particularly, the 3rd respondent, without following due process under law, is trying to dispossess the petitioner from the land in question.

It appears that it is because of mere apprehension that the petitioner may be dispossessed from the land in question he filed this writ petition and obtained interim direction on 16.4.1999. Having

regard to the fact that it is only an apprehension, this Court deems it appropriate to direct the 3rd respondent-Mandal Revenue Officer not to dispossess the petitioner, who is a *bona fide* purchaser of the land, without following due process of law.

With the above direction, this writ petition is disposed of. No costs.

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04.04.2007

bcj